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Item 4 of the agenda

**EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE
(CDDG)**

**DRAFT RECOMMENDATION ON THE PRINCIPLES OF
GOOD DEMOCRATIC GOVERNANCE**

Final draft approved by the GT-G following
its first meeting (Strasbourg, 2-3 February 2023)

For consideration by the CDDG and for subsequent final approval by written procedure
in the light of the results of the Fourth Summit

Secretariat Memorandum
prepared by the
Directorate General of Democracy and Human Dignity
Democratic Governance Division

**Recommendation CM/Rec(2023)...
of the Committee of Ministers to member States
[on the Principles of Good Democratic Governance]**

The Committee of Ministers, under Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress;

Convinced that good democratic governance is a key condition to ensuring the preservation of human rights, democracy, and the rule of law, and thereby peace and security in Europe;

Convinced that a democratically secure society across Europe, which is resilient to face the current and emerging challenges, requires, at all levels of government, a governance which is "good" and "democratic";

Concerned about the backsliding of democratic institutions in Europe, outlined in particular in the reports of the Secretary General of the Council of Europe on the state of Democracy, Human rights and the Rule of law, and in the reports of the Parliamentary Assembly of the Council of Europe;

Convinced that good democratic governance is crucial for building people's confidence, trust in, and sense of ownership of public institutions;

Bearing in mind the work of other Council of Europe bodies, in particular the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Conference of International Non-governmental Organisations, the Commissioner for Human Rights, the various specialist bodies dealing in various ways with the functioning of public institutions in the three branches of power, as well as the conclusions of the successive editions of the World Forum for Democracy;

Having regard to the Valencia Declaration and the Strategy on Innovation and Good Governance at Local Level, including the 12 Principles of Good Democratic Governance, adopted at the 15th session of the Council of Europe Conference of European Ministers responsible for Local and Regional Government¹, as well as the United Nations Sustainable Development Goals, in particular Goal No. 16, "Peace, justice and strong institutions";

[Having regard to... (reference to the fourth summit of heads of states and governments, when adequate public information becomes available)];

¹ 15-16 October 2007, document CM(2008)14

Building on the acquis of the Council of Europe and earlier work of the European Committee on Democracy and Governance as well as on the practical experience gathered in the implementation of the 12 Principles of Good Democratic Governance at local level through the European Label of Governance Excellence (ELoGE);

Recognising that Good Democratic Governance refers to all governing processes, institutions, and practices through which accountable authority and responsibility are exercised in a manner which is both effective and centred on genuine democracy;

Considering that time has come to establish in a legal instrument a set of standards, which are a hallmark of such Good Democratic Governance at all levels;

Recognising that these standards will assist policy- and decision-makers at all levels of government to safeguard and continue to develop good democratic governance for all and, at the same time, make communities and individuals better aware of what to expect from those entrusted with the management of public affairs;

Recommends that the governments of member states:

- Conduct governmental action in accordance with the fundamentals of Good Democratic Governance and the related principles as described in the appendix to this recommendation, those fundamentals, which in their totality characterise any effectively operating democracy, being:
 - the respect, protection and promotion of Democracy, Human Rights and the Rule of Law;
 - the observance of the highest standards of public ethics and integrity in the exercise of power and public responsibilities;
 - the practice of good administration;
 - the delivery of high quality public services, and economic, social, and environmental wellbeing;
- Put in place measures and undertake activities to require, enable, facilitate, or encourage as appropriate, given the state's constitutional or legislative arrangements, public institutions at the national, regional and local levels to act in accordance with the fundamentals of Good Democratic Governance and the related principles;
- Translate this recommendation into the national language(s) and ensure its dissemination at national, regional, and local level;
- Evaluate, as appropriate, the extent to which this recommendation is implemented.

Instructs the CDDG to promote and follow the implementation of this recommendation and to report to the Committee of Ministers about the results.

Appendix

Definitions

For the purpose of this recommendation:

“Governmental action” means all actions of a member state’s government and includes:

- the operation of, and seeking any amendment to, the state’s constitutional arrangements;
- the seeking of legislation;
- the conduct of international relations and the implementation of binding international obligations;
- the formulation and adoption of policies;
- the establishment and operation of regimes and regulations concerning the promotion and safeguarding of the economic, social, and environmental wellbeing of all; and
- the delivery and commissioning of public services.

“Public institutions” includes any body, organisation, or office, other than a member state’s government, which has public or governmental functions such as regional governments, their executives and legislatures or assemblies; local governments, their executives and assemblies; and any agency, company, or similar entity managed or financed by national, regional, or local governments.

“Public official” includes:

- I. persons who are elected or appointed to a public mandate or function, such as members of national and regional governments, members of national and regional legislatures, local executives and local elected representatives, and holders of a judicial office;
- II. persons who are employed by a public institution as defined above;
- III. persons who act on behalf of a public institution without having been elected, appointed to a public mandate or function, or being employed by a public institution or a member state’s government.

THE RESPECT, PROTECTION AND PROMOTION OF DEMOCRACY, HUMAN RIGHTS AND THE RULE OF LAW

PRINCIPLE 1 – DEMOCRATIC PARTICIPATION

There should be effective and inclusive democratic participation, including regular, free, and fair elections to legislatures, assemblies and other public institutions, and meaningful engagement by government and public institutions with those whom they serve-

PRINCIPLE 2 – HUMAN RIGHTS

There should be respect for human rights protecting all and embodying values of fairness, dignity, equality, and respect, in accordance with European and international standards, including the Council of Europe Statute and the European Convention on Human Rights and Fundamental Freedoms.

PRINCIPLE 3 – RULE OF LAW

There should be an acceptance of the rule of law, providing all with legal security including a foreseeable law, in which everyone is treated in a dignified, equal, rational, and proportional manner, within a framework where the separation of powers and the independence of the judiciary are guaranteed throughout the state.

THE OBSERVANCE OF THE HIGHEST STANDARDS OF PUBLIC ETHICS AND INTEGRITY IN THE EXERCISE OF POWER AND PUBLIC RESPONSIBILITIES

PRINCIPLE 4 – PUBLIC ETHICS

There should be strict observance of the highest standards of public ethics enabling all to have confidence that government, public institutions and public officials are serving the public good.

PRINCIPLE 5 – ACCOUNTABILITY

There should be accountability arrangements providing for government, public institutions, and public officials to take responsibility for their actions and decisions and to be held to account, as well as to accept any consequence or proportionate sanction against inappropriate decision or omissions.

PRINCIPLE 6 - OPENNESS AND TRANSPARENCY

There should be openness and transparency, ensuring that decision making of government, public institutions and public officials is publicly available and accessible subject to limitations set down in law, necessary in a democratic society and proportionate to the aims they seek to protect, including utilising as appropriate modern digital tools.

THE PRACTICE OF GOOD ADMINISTRATION

PRINCIPLE 7 – EFFICIENT, EFFECTIVE AND SOUND ADMINISTRATION

There should be efficient, effective, and sound administration throughout government and public institutions, and including all public officials, promoting the wellbeing of all those they serve without discrimination, including through optimising the use of public resources.

PRINCIPLE 8 – LEADERSHIP, CAPABILITY AND CAPACITY

There should be consistent and sustainable efforts for strengthening organisational leadership of government and public institutions, and the capability and capacities of all public officials, so that the fundamentals of Good Democratic Governance are met.

PRINCIPLE 9 – RESPONSIVENESS

There should be responsiveness providing for government, public institutions, and public officials to be able to respond to the legitimate expectations and needs of those whom they serve.

THE DELIVERY OF HIGH QUALITY PUBLIC SERVICES, AND ECONOMIC, SOCIAL, AND ENVIRONMENTAL WELLBEING

PRINCIPLE 10 – SOUND FINANCIAL AND ECONOMIC MANAGEMENT

There should be sound financial and economic management throughout government and public institutions, and by all public officials ensuring the optimal use of public resources and the pursuit of policies fostering the wellbeing and prosperity for all.

PRINCIPLE 11 - SUSTAINABILITY AND LONG-TERM ORIENTATION

There should be an effort to maximise the sustainability of decisions and actions of government, public institutions and public officials and take into account their potential impact on future generations and the ability of those generations to address their own needs.

PRINCIPLE 12 - OPENNESS TO CHANGE AND INNOVATION

There should be a readiness for government, public institutions and public officials to proactively embrace change and innovation, where this would improve the resilience and quality of public services, taking into account evolving expectations and realities, and engaging widely with others to draw on good practice and to enhance knowledge.